

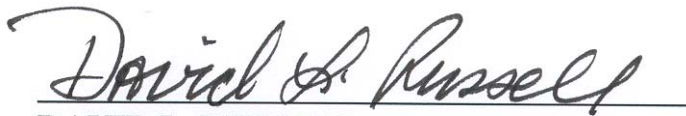
**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>JOHNNIE AUSTIN PHILLIPS, II,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>No. CIV-22-99-R</b>
	)	
<b>SCOTT CROW, Director,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Suzanne Mitchell, entered on February 18, 2022 [Doc. No. 4], recommending that Petitioner's habeas action be dismissed without prejudice for failing to exhaust his state court remedies. The record reflects that no objection to the Report and Recommendation has been filed within the time limit prescribed, nor has an extension of time in which to object been sought. Therefore, the Report and Recommendation of Judge Mitchell is ADOPTED in its entirety and the Court DISMISSES Petitioner's habeas action pursuant to 28 U.S.C. § 2254 without prejudice.

**IT IS SO ORDERED** on this 21<sup>st</sup> day of March 2022.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**